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The City of Stuart is tucked away along the shores of Martin County in sunny South Florida. While Stuart serves as the official county seat, it's better known by its moniker, the "Sailfish Capital of the World." Approximately 30 years ago, local leaders set out to transform the city's nondescript downtown area by restoring it to its former 1920s glory. The end result was a warm and welcoming destination that became a cultural and community hub, which continues to develop and expand to this day.

continued on page 4

ALSO IN THIS ISSUE

7

Orlando
Placemaking
Key to COVID
Rebound

10

How TUPs
in WPB is a
Gamechanger

13

Meet the New
EC Members

14

One Click
Too Many

18

FPC20 at
a Glance

19

Chapter
Leadership
Awards

21

Project
Award
Recipients

OTHER FEATURES

President's Message - p. 3
Planner Q&A p. 24
Planners on the Move p. 25
APA Working for You - p. 26
Consultants Directory - p. 27
Events - back page

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DINING ON THE SPOT + TEMPORARY USE PERMITS:

How Covid-19 Changed the Way We Dine Outside, and How West Palm Beach Was Ahead of the Game

By: Sherryl Muriente & Melissa Hege, AICP, LEED GA



Following the March lockdown, the West Palm Beach Downtown Development Authority (DDA) was quick to pivot and create a re-opening plan that would meet strict CDC guidelines while giving businesses a means to generate enough revenue. They started with restaurants. When the county-initiated Phase I reopening the DDA, with city assistance, launched the Dining on the Spot (DOTS) Program for outdoor dining on parklets, sidewalks, alleyways, and parking lots centered along the Downtown West Palm Beach (WPB) core. The DOTS program uses open spaces, both public and private, for the temporary use to extend the interiors of the businesses that were mandated to operate at a fraction of their maximum occupancy.

While other cities struggled to initiate their Covid-19 ready outdoor dining programs, Downtown WPB adapted quickly because they had already begun to collaborate with a core working group of department heads to develop a process for permitting temporary uses six months prior to the lockdown. That's because the DDA and city had been developing catalyst pilot studies and pop-ups for more than 10 years in Downtown West Palm Beach. From parklets to alleyway restoration projects, and now Dining on the Spot, the DDA continues to generate innovative and breakthrough projects, programs and studies that have brought integral change to the city of West Palm Beach.

The West Palm Beach DDA helped inform the city's parklet program starting in 2007, with their first Park(ing) Day and subsequent parklet study called "Street Balconies." As a result of the parklet pilot studies on Clematis Street, downtown's main street moved to a curbside redesign to accommodate more people and fewer cars. In 2013, Sherryl Muriente served as a change agent to lead a participatory community design process for "C'est la Via: Rethinking the Alleyways", a one-day demonstration to transform an alleyway to a pedestrian way. This project was the catalyst for capital improvement projects that rehabilitate alleys to accommodate secondary alley facing facades.

During the alleyway intervention, the team used observational research methods designed by Gehl Group's team to measure success. In 2016, the West Palm Beach DDA along with Gehl and Muriente, launched and ran the Office of Public Life to test experimental interventions with community volunteers who became stewards of the public spaces. Over time, these interventions helped shift the attitude of different governmental agencies and created a willingness to discuss a Temporary Use Permit (TUP) process for WPB. The TUP process will allow WPB to capture short-term opportunities as they arrive.

TUP SUMMARY AND THE WEST PALM BEACH DDA'S TRACK RECORD

Back in October 2019, the DDA assembled a TUP working group to address the new demands for temporary pop-up uses. This included representatives from DDA, Planning and Zoning, Building, Fire, Engineering and Economic Development Departments. Muriente, the West Palm Beach DDA's Manager of Urban Placemaking, had been initiating activations, throughout the Downtown to serve a growing demand for interactive social experiences that were focused around art and education, parks and play, retail and food sales. What Muriente calls urban acupuncture projects, are small scale interven-

continued on page 11

[DINING] ON THE SPOT

continued from page 10

tions that serve as a catalyst for both social and physical changes to the larger urban context which meet community demands for engaging and interactive temporary uses. But without a mechanism to review these temporary uses, the Building Department could not easily approve them. Both Muriente and Raphael Clemente, the West Palm Beach DDA's Executive Director, have worked for almost a decade on innovative and positively disruptive urban solutions which have revealed a need for more specific policies to permit these initiatives.

Urban acupuncture, as defined by Finnish architect Marco Casagrande, focuses on using punctual and smaller scale interventions to radiate and transform the larger urban context.

Under the direction of planning firm MHCP COLAB, the TUP working group held several workshops to determine how temporary uses were different from permanent uses and special events. Through these discussions, the group approved an outline to amend the zoning code and create a new section for temporary uses. While this type of dialogue had never happened among the various departments, it laid the groundwork for the first temporary use permit process, Dining on the Spot. The relationships established among the working group members generated a more efficient dialogue for the execution of such a project.

A temporary use permit is a mechanism to allow pop-up uses to activate spaces for an interim period. West Palm Beach lacked a process for permitting these uses.

SOLUTION OVERVIEW DOTS AND PROCESS

During the lockdown, the West Palm Beach DDA along with the city worked diligently in creating the DOTS program. Previous discussions about temporary uses enabled the TUP working group to immediately begin developing solutions with little need for negotiations. The solution was simple. The DDA developed typologies for outdoor dining and café seating depending on the applicant's need to expand on the public realm or on private property. Seating was planned to be placed in different types of sites including sidewalks, parklets, roads, public space, parking lots, and vacant lots.

Without a TUP process, the West Palm Beach DDA was limited to Right of Way and Special Events permits to implement the DOTS program. Therefore, the initial program was launched by testing three different configurations on different street blocks using both a Right of Way (ROW) permit for parklet typologies, a ROW permit for Local Traffic Only Maintenance of Traffic (MOT) plan, and a Special Events permit for a half block closure. Tests were run for one week, in coordination with TUP working group members and new depart-



ment representatives from Engineering and Special Events.

These tests provided enough information to create the Executive Order for the DOTS application permit process, which establishes guidelines, for both private and public sector entities to expand dining onto the various types of urban sites that were conceived during the testing period. All applicants were required to obtain liability insurance, meet the strict guidelines, and were subject to police enforcement. The West Palm Beach DDA assigned Covid-19 emergency funding to subsidize equipment rental costs such as tables, chairs, umbrellas, and tents to support the initial outdoor dining expansion for the local businesses negatively affected financially by the pandemic.

The DOTS program served as a test for the TUP process which was initially developed with the working group prior to Covid-19. It also revealed the limitations for permitting these temporary uses with the existing ROW and Special Events processes. The DOTS program brought practice into the theory and helped prove that streamlining the permitting process for these interim urban solutions is necessary and beneficial for all. The pressure imposed by Covid-19 restrictions further accelerated action.

Another facet of the DOTS program was measuring results. West Palm Beach DDA recruited 15 volunteers to evaluate how people were using these newly conceived spaces using a beta version of an app developed by Gehl. Gehl's observational research method enabled DDA to evaluate and adjust the DOTS program according to how people were using the outdoor dining space. This allowed the DDA to stay true to their method of deploying placemaking projects that test, measure, and adapt to real-time data, creating informed solutions for the future.

The DOTS program equipment rentals ended on Oct. 10, 2020, due to exhausting the dedicated funds and the added occupancy from the county's Phase 2 Reopening Plan.

Businesses can continue operating their own spaces until the city decides to discontinue the current Executive Order. The city and the DDA are actively working to re-write both the sidewalk café seat-

continued on page 12

[DINING] ON THE SPOT

continued from page 11

ing and the parklet ordinances to reestablish the new needs as discovered through the DOTS program. These include the need of shade elements, more transparent barricades, and a readjustment on physical design parameters. This will create a natural transition from the DDA's initial program to a sustainable long-term solution for outdoor dining in the area.

DOTS application removed fees and streamlined the permitting process for the program to get a kickstart.

LESSONS LEARNED/RETURN ON INVESTMENT

One of the important components to making this a successful program that responded to the needs created by the "Stay at Home" order was waiving the initial permitting fees. The only cost for executing a DOTS site was the cost of buying urban furniture and shading elements, and, a special tent permit, in the case of using tents larger than the typical 10'x10' size. The fee for bagging meters at parklets was also waived. These initial costs waivers were key in helping the program succeed. After six months of operations, many restaurants are now ready to invest in their own spaces and continue the same outdoor dining plans at their own cost.



RAPHAEL,
I WANTED TO SAY THANK YOU AGAIN TO YOU AND THE DDA FOR THE TENT OUTSIDE THE BLIND MONK. WE HAVE HAD FIVE NIGHTS OF SERVICE SINCE RE-OPENING, AND THE TABLES UNDER THE TENT HAVE BEEN

FULL EACH OF THOSE NIGHTS. SINCE WE ARE SUCH A SMALL PLACE, WE CANNOT RESPONSIBLY OPEN OUR INSIDE DINING ROOM, SO THE TENT AND THE EXTRA SPACE THE CITY HAS ALLOWED IS INSTRUMENTAL TO US BEING ABLE TO OPERATE. PLEASE LET THE REST OF THE DDA TEAM AND THE RELEVANT CITY OFFICIALS KNOW HOW MUCH OF A HELP THESE TENTS ARE. WITH COVID CASES SPIKING AGAIN, I REALLY HOPE RESTAURANTS WILL CONTINUE HAVING THE OPTION OF THIS EXPANDED OUTSIDE SEATING FOR THE MONTHS TO COME. THANK YOU AGAIN!

BEN LUBIN, OWNER
THE BLIND MONK (CAFÉ AND WINE BAR)

Email from local Merchant

The West Palm Beach DDA committed \$125,000 from their budget as support for launching the outdoor dining program. This covered any tent permit costs, rentals, and any maintenance of the spaces. In addition, the DDA helped with signage, a cleaning training program, and social media advertisement. The DOTS sites quickly became a natural billboard to indicate that places were back in business and ready for curbside pickup and outdoor dining options. The program also served to provide additional capacity to the businesses in a creative manner, while encouraging people to come outside and engage responsibly through DOTS.

The DOTS program was operational for 6 months, servicing 45 businesses, 12 downtown city blocks, and offered an emergency relief strategy to making sure people were coming back to Downtown in a safe environment.

As a result, the city is now looking to expand on this streamlined process and adopt a Temporary Use Permit as a method to create an opportunity for temporary and interim design solutions. The collective work of the city, the West Palm Beach DDA, the vendors, and the merchants has been key to creating a long-term outdoor dining solution which has been informed by the short-term experimental DOTS program.

From a parklet to a half block street closure, the West Palm Beach DDA tested what could work for other parts of downtown so that the city could quickly turn around an order to allow temporary outdoor dining through the DOTS program. The initial test sought to maintain the aesthetic character of each area while being responsive to the CDC requirements including physical distancing guidelines, life safety, safety lane, MOT, signage, and other functional aspects of the interventions. The study results will become part of an open source playbook in collaboration with the Gehl Group and Dover, Kohl, and Partners with illustrations and visual guidelines to expand interior spaces into the public realm.

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